



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Richard E. HARRIS et al.

Group Art Unit: 1732

Application No.: 10/613,135

Examiner: A. KUHNS

Filed: July 7, 2003

Docket No.: 116438

For: PROCESSES AND PRODUCTS FOR FOAMING THERMOPLASTIC MATERIALS
USING A PELLET OR POWDER AS A VEHICLE TO DELIVER A PHYSICAL
FOAMING AGENT, AND PRODUCTS FORMED THEREWITH

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 9, 2005, Restriction Requirement, the shortened statutory period for reply being extended by the attached Petition for Extension of Time, Applicants provisionally elect Group III, claims 28-48, which are directed to a physical foaming agent concentrate. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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WPB:JMS/ccs

Attachment:

Petition for Extension of Time

Date: February 9, 2006

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